Approved for use through 3/31/2007. OMB 0651-0021 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER
08830-0344US I
U.S. APPLICATION NO (If known, see 37 CFR 1.5)

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/537,647				
INTERNATIONAL APPLICATION NO. PCT / IB2003 / 006404 INTERNATIONAL FILING DATE 8 DEC 2003 (08.12.2003)	PRIORITY DATE CLAIMED				
TITLE OF INVENTION RECOMBINANT CELL LINE	TITLE OF INVENTION RECOMBINANT CELL LINE				
APPLICANT(S) FOR DO/EO/US  Koen VANDENBROECK; Iraide AL	LOZA				
Applicant herewith submits to the United States Designated/Elected Office (DC	D/EO/US) the following items and other information:				
1. This is a FIRST submission of items concerning a submission under 35 U.S.C.	371.				
2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submi	ssion under 35 U.S.C. 371.				
3. This is an express request to begin national examination procedures (35 U.S.C (5), (6), (9) and (21) indicated below.	C. 371(f)). The submission must include items				
4. The US has been elected (Article 31).					
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))					
a. is attached hereto (required only if not communicated by the International	ational Bureau).				
b. has been communicated by the International Bureau.					
c. is not required, as the application was filed in the United States Re	ceiving Office (RO/US).				
6. An English language translation of the International Application as filed (35 U	J.S.C. 371(c)(2)).				
a. Lis attached hereto.	<b>,</b>				
b. L. has been previously submitted under 35 U.S.C. 154(d)(4).					
7. Amendments to the claims of the International Application under PCT Article	19 (35 U.S.C. 371(c)(3))				
a. are attached hereto (required only if not communicated by the Inte	ernational Bureau).				
b. have been communicated by the International Bureau.	÷				
c. have not been made; however, the time limit for making such ame	endments has NOT expired.				
d. have not been made and will not be made.					
8. An English language translation of the amendments to the claims under PC	T Article 19 (35 U.S.C. 371(c)(3)).				
9. X An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).w/Power	of Attorney				
An English language translation of the annexes of the International Prelimina Article 36 (35 U.S.C. 371(c)(5)).	ary Examination Report under PCT				
Items 11 to 20 below concern document(s) or information included:					
11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
12. An assignment document for recording. A separate cover sheet in compliance	e with 37 CFR 3.28 and 3.31 is included.				
13. X A preliminary amendment. (second)					
An Application Data Sheet under 37 CFR 1.76.					
15. A substitute specification.	,				
16. A power of attorney and/or change of address letter.					
17. X A computer-readable form of the sequence listing in accordance with PCT Ru	ule 13 <i>ter</i> .2 and 37 CFR 1.821- 1.825.				
18. A second copy of the published International Application under 35 U.S.C. 154	4(d)(4).				
19. A second copy of the English language translation of the international applica	ation under 35 U.S.C. 154(d)(4).				

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10
EXPRESS MAIL Mailing Label Number: EV 320479819 US
Date of Deposit: December 28, 2005
I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, and/or fee, is being deposited with the United States Postal
Service, 'EXPRESS MAIL-POST OFFICE TO ADDRESSEE' service under 37 C.F.R. 1.10, on the date indicated above, and addressed to: Mail Stop PCT, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450
Signature of person mailing bage:
KAREN M. SPINA
Type or orbit name of person

PTO-1390 (Rev. 07-2005)
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U.S. APPLICA 10/537,6	TION NO. (if known 47	, see 37 CFR 1.5)	INTERNATIONAL AF PCT/IB03/06404	PLICATION NO.	ATTORNEY'S DOC 08830-0344US1	CKET NUMBER
20. Other	items or informati	37 CRF	ent to Support S 1.821-1.825; co rd Receipt	ubmission in	Accordance wo	ith ter;
The foll	owing fees have b	een submitted		···	CALCULATIONS	PTO USE ONLY
	-		·····	\$300	\$	1 TO USE ONE!
22. Examination fee (37 CFR 1.492(c))						
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0  All other situations\$200					<b>\$</b> ·	
23. Search fee (37 CFR 1.492(b))  If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0  Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority					\$	
	TOTAL OF 21, 22	2 and 23 =			-	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).  The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Total Sheets Extra Sheets Number of each additional 50 or fraction thereof (round up to a whole number)					
- 100 =	/50 =			x \$250	\$	'
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$130				
CLAIMS	NUMB	ER FILED	NUMBER EXTRA	RATE	\$	
Total claims		- 20 =		x \$50	\$	
Independent clair	ms	- 3 =		x \$200	\$	
MULTIPLE DEPE	ENDENT CLAIM(S	) (if applicable)	<u> </u>	+ \$360	\$	
			TOTAL OF ABOVE		\$130	
Applicant cla	ims small entity st	atus. See 37 CFI	R 1.27. Fees above are reduc	ed by 1/2.		
			· · · · · · · · · · · · · · · · · · ·	SUBTOTAL =	\$ 65	
	f <b>\$130.00</b> for furnis ate (37 CFR 1.492		translation later than 30 mont	hs from the earliest +	\$	
			TOTAL	NATIONAL FEE =	\$ 65	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$			
TOTAL FEES ENCLOSED =			\$			
· · ·					Amount to be refunded:	\$
		-			Amount to be charged	\$

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PTO-1390 (Rev. 07-2005)
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a. X	A check in the amount of \$65to cover the above to	fees is enclosed.		
ь. 🗆	Please charge my Deposit Account No in the amount of \$ A duplicate copy of this sheet is enclosed.	to cover the above fees.		
c. X	The Commissioner is hereby authorized to charge any additional fees which Account No. $\underline{50-0573}$ A duplicate copy of this sheet is enclosed.	may be required, or credit any overpayment to Deposit		
d. 🗌	Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form be included on this form. Provide credit card information and authorization	may become public. Credit card information should not on PTO-2038.		
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.				
SEND AI	LL CORRESPONDENCE TO:	2-12-		
DANI	EL A. MONACO, Esq.	SIGNATURE		
	ker Biddle & Reath LLP	Daniel A. Monaco		
	Logan Square	NAME		
	and Cherry Streets	30,480		
	adelphia, PA 19103-6996	REGISTRATION NUMBER		
	(215) 988-3312			
FAX:	(215) 988–2757			
	Customer No. 23973	•		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTING AS THE DESIGNATED/ELECTED OFFICE

In re: Patent application of: Koen VANDENBROECK et al.

Application No.:

10/537,647

(International Application No. PCT/IB2003/006404)

Filed:

(International Application: 8 December 2003 (08.12.2003))

For:

RECOMBINANT CELL LINE

MAIL STOP PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# STATEMENT TO SUPPORT SUBMISSION IN ACCORDANCE WITH 37 C.F.R. §§1.821-1.825

A computer readable form of the paper Sequence Listing contained in International Application No. PCT/IB2003/006404 is submitted herewith. The Sequence Listing information recorded in the computer-readable form is identical to the written (on paper) Sequence Listing. The submission of the computer-readable form includes no new matter.

Respectfully submitted,

KOEN VANDENBROECK, et al.

BY

BANIEL A. MONACO Registration No. 30,480

DRINKER BIDDLE & REATH LLP

One Logan Square 18<sup>th</sup> and Cherry Streets

Philadelphia, PA 19103-6996

TEL: (215) 988-3312 FAX: (215) 988-2757 Attorney for Applicants

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10** 

**EXPRESS MAIL Mailing Label Number:** 

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Date of Deposit:

December 28, 2005

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Signature of person mailing page

KAREN M. SPINA

Type or print name of person



# <u>United States Patent and Trademark Office</u>

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Addres: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Viginia 22313-1450 www.uspto.gov

\*OC000000017448217\*

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/537.647 Koen Vandenbroeck 08830-0344US1 INTERNATIONAL APPLICATION NO. PCT/IB03/06404 23973 DRINKER BIDDLE & REATH I.A. FILING DATE PRIORITY DATE ATTN: INTELLECTUAL PROPERTY 12/08/2003 12/06/2002 ONE LOGAN SQUARE **18TH AND CHERRY STREETS** NOV 2 1 2005 **CONFIRMATION NO. 6304** PHILADELPHIA, PA 19103-6996 **371 FORMALITIES LETTER** DRINKER, GIDDLE & REATH, LLP

Date Mailed: 11/14/2005

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/06/2005
- Copy of the International Search Report filed on 06/06/2005
- Preliminary Amendments filed on 06/06/2005
- Information Disclosure Statements filed on 06/06/2005
- Biochemical Sequence Listing filed on 06/06/2005
- Small Entity Statement filed on 06/06/2005
- Request for Immediate Examination filed on 06/06/2005
- U.S. Basic National Fees filed on 06/06/2005
- Priority Documents filed on 06/06/2005

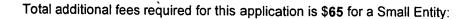


The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:



- \$65 Surcharge.
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

### PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.		
10/537,647	PCT/IB03/06404	08830-0344US1		

FORM PCT/DO/EO/905 (371 Formalities Notice)